UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

JTH TAX, INC. d/b/a LIBERTY TAX SERVICE,

Plaintiff,

Civil No. 2:07cv169

v.

JEROME REED,

Defendant.

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Plaintiff, JTH Tax, Inc. d/b/a Liberty Tax Service, by counsel, and for its Motion for Default Judgment against the Defendant, Jerome Reed, states as follows:

1. The Plaintiff, JTH Tax, Inc. d/b/a Liberty Tax Service ("Liberty"), filed a Complaint in this Court in this matter on or about April 12, 2007.
2. Pursuant to the Return of Service on file with this Court, the Complaint and other papers filed were personally served on the defendant Jerome Reed ("Reed") on April 21, 2007. Exhibit 1.
3. Reed's Answer was due on or about May 14, 2007.
4. Reed has failed to answer the Complaint filed against him.
5. Pursuant to Liberty's Complaint, Reed owes liquidated debts to Liberty in the amount of $10,626.80. See, Declaration of Jan Gundran.
6. Reed also owes certain other damages for breach of the franchise agreement. These damages include $17, 173.14 which Liberty incurred in legal fees as a result of Lee bringing suit in violation of the forum selection clause contained in each of his Franchise

Dockets.Justia.com

Agreements.

WHEREFORE, in consideration of the foregoing, the plaintiff Liberty Tax Service respectfully prays for the following relief:

1. That it be granted a judgment in its favor against Reed in the amount of $27,799.94
2. Award to Liberty its costs incurred in pursuing this action; and
3. Grant to Liberty such other and further relief as justice and the equities of the case may require.

JTH Tax, Inc. d/b/a Liberty Tax Service

By: ________________/s/______________________
Counsel

Vanessa M. Szajnoga, Esq. (VSB #71500)
Counsel for Plaintiff
Liberty Tax Service
1716 Corporate Landing Parkway
Virginia Beach, VA 23454
Telephone number: 757-493-8855
Fax number: 800-880-6432
Email: Vanessa.Szajnoga@libtax.com

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of August 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I also hereby certify that on this date, I mailed the foregoing document by overnight mail, postage prepaid, to the following non-filing users:

Jerome Reed
44 Cherrywood Drive
Piscataway, New Jersey 08854

________________/s/_____________
Vanessa M. Szajnoga, Esq.

(VSB #71500)
Counsel for Plaintiff
Liberty Tax Service
1716 Corporate Landing Parkway
Virginia Beach, VA 23454
Telephone number: 757-493-8855
Fax number: 800-880-6432
Email: Vanessa.Szajnoga@libtax.com